



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2206838
Applicant Name: Gary Hall - Renton 5000, LLC
Address of Proposal: 5008 Renton Avenue S

SUMMARY OF PROPOSED ACTION

Master Use Permit for the construction of six townhouses consisting of 26 units with parking for 39 vehicles within the structures and surface parking for 5 vehicles. Project includes 600 cubic yards of grading.

The following approval is required:

SEPA – Environmental Determination – Chapter 25.05, Seattle Municipal Code

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

This proposal site is located in the Columbia City Residential Urban Village (RUV) within a city block bounded to the north by S Hudson Street, to the east by 37th Avenue S, to the south

by S Dawson Street, to the southwesterly by Renton Avenue S and to the west by 35th Avenue S. The subject site abuts the diagonal section of Renton Avenue South along the east right-of-way line that runs east-west for approximately 150' from 35th Avenue S, then turns south-southeasterly for about 250', and then turns east-southeasterly to South Dawson Street. The subject site has a very unusual shape. The lot line abutting Renton Avenue S are in two segments of 43.25' at the northwest portion and 128.95' at the southwest portion of the site separated by another property developed with an existing three-unit ground related residential structure. Majority of the approximately 34,000 square foot site is relatively flat, except at the southwest portion where there is a 42% steep slope area, primarily caused by grading of Renton Avenue S. and for which an exemption from this steep slope area was granted by the City.

The north three-quarter of the site has few existing small trees, bushes, shrubs and some ground covers (grass). Existing conditions on a small area in the north half of the site also suggest that it had been used as pea patch or vegetable garden apparently by the occupant of the adjacent properties. The south one-quarter of the site is vegetated with shrubs, large bushes and a number of existing large trees. There are other three small areas delineated and identified in the site survey with slope equal or greater than 40% that are also vegetated. The north panhandle portion of the site which abuts Renton Avenue S to the west has a width of forty feet (40.00') and a length of approximately 132.00'. This area is a granted ingress/egress easement serving the triplexes addressed at 5002 and 5010 Renton Avenue S.

Development in the Vicinity

To the north of the site, the area is zoned Single Family (SF5000) and the existing developments are mostly single family houses with some duplexes. East of the site is zoned Multifamily (L-2) and the developments are generally apartments and a few existing single family houses. To the south, the area is still zoned L-2 and there are quite a few vacant lots and some single family houses and duplexes. To the southwest across Renton Avenue S, the existing zone is Single Family (SF5000) and the existing developments are all single family homes. To the west of the site across Renton Avenue S, the zone is L-2 and the existing developments are a mixture of single family homes, duplexes and triplexes. Renton Avenue S is a forty-foot (40') wide street right-of-way with an existing hard surface (asphalt) pavement of approximately twenty feet (20') wide. This pavement width varies in some sections of the roadway. There are no curbs on both sides of the roadway. The existing concrete sidewalk on the eastside of the street does not comply with the street standards and there are some sections that are broken up and covered with weeds. There are no sidewalks on the west side.

Proposal Description

The applicant proposes to construct six (6) structures of townhouses with a total of twenty six (26) units. A three-unit structure will be located at the southwest portion of the lot directly along Renton Avenue S., a five-unit structure will be built at the southern portion, and two

four-unit structures will be built approximately at the middle portion of the lot. At the north portion of the lot, two five-unit structures will be built.

The forty feet (40') wide panhandle portion of the lot which abuts Renton Avenue S at the northwesterly section, will be utilized as the main vehicle one-way entry to the site. About three (3) surface parking spaces will also be located on this area for guest parking. The rest of the area will be landscaped and utilized as part of the open spaces required for this development.

All the proposed townhouse structures are three (3) stories except the two-story portion of one of the structures where two units are designated as handicapped-accessible. Garage for individual unit is provided under the structure at grade level, except for the two handicapped-accessible townhouses which are provided with surface parking at grade located in front of each unit. Access to individual garage is through common paved driveways between the front façade of the structures. These common paved driveways branch out from a main one-way driveway which serves as ingress/egress to the development. Each individual townhouse unit is provided with a directly accessible and fully landscaped private usable open space.

Public Comments

The public comment period for this project started on June 5, 2003 and ended on June 18, 2003. Due to public request, the comment period was extended and ended on July 2, 2003. There were four public comments received on this proposal. Comments were mostly concerning off-site parking on Renton Avenue S, street improvements, street drainage, and traffic impacts due to the added residents by this development and loss of green space and existing vegetations.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated May 16, 2003. The information in the checklist, a subsurface exploration and assessments, project plans and other related documentations, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between the codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” (subject to some limitations). Under certain limitations/circumstances

(SMC 25.050.665 D 1 through 7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud trucked onto the streets during construction activities; excavation, backfill and site grading; increased traffic demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and nonrenewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The proposal includes excavation of soils and grading for construction. The applicant estimates approximately 400 cubic yards of excavation and 200 cubic yards of fill, some of them will be imported to site.

The Stormwater, Grading and Drainage Control Code regulate site excavation and require that soil erosion control techniques be initiated for the duration of the construction. The Street Use Ordinance requires watering the streets and on-site driveways to suppress dust, on-site washing of truck and equipment tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for the construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with this applicable Codes and Ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Because of the fact that a significant amount of excavation, grading, and building construction will be undertaken, additional analysis of noise, air quality and traffic impacts is warranted.

Noise

Noise associated with the excavation, grading, foundation work, building construction and structure framing, truck hauling of materials into and from the site, including required street improvements will have adverse impact on nearby residences and other sensitive land uses. The protection levels of the Noise Ordinance are considered inadequate for the potential noise impact on the nearby uses. The impacts upon nearby uses would be especially adverse in the early morning, in the evening and on weekends. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Policy (SMC 25.05.675) allow the reviewing agency to limit the hours of construction in order to mitigate adverse noise impact. Pursuant to the policy, and because there are residences and other noise-sensitive developments in the vicinity, the applicant will be required to limit the periods of construction to between hours of 7:30 a.m. and 6:00 p.m. on non-holiday weekdays.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect the air quality; hydrocarbon emissions from construction vehicles and heavy equipment; and increased suspended particulates from construction activities. Compliance with PSCAA regulations will mitigate potential adverse short term impacts to air.

Grading – Earth/Soils

Any additional information necessary to conform to the applicable ordinances and codes (The Stormwater, Grading and Drainage Control Code, Director's Rules DR 3-93 and 3-94) will be required prior to issuance of a Master Use Permit. The use of applicable Codes and Ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques. Therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or grading greater than 100 cubic yards of material. The current proposal involves cuts greater than 3' in height and grading of more than 400 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe that construction techniques are used, therefore additional conditioning is not warranted pursuant to SEPA policies.

Traffic

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near an arterial street, Martin Luther King Jr. Way S and traffic impacts resulting from the truck traffic associated with the hauling of construction materials and debris will be of short duration and mitigated by enforcement of SMC 11.62.

For the removal or import of soil to the site, including disposal of spoil materials, the Code (SMC 11.74) provides that materials hauled in trucks not spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from the level of material to the top of the truck container) be provided in loaded, uncovered trucks to minimize the amount of spilled materials and dust from the truck bed en-route to or from the site.

Long-term Impacts

Long term or use-related impacts are anticipated from this proposal that would include the following: increased water runoff from site coverage by impervious surfaces; potentially decreased water quality in the surrounding watersheds; increased bulk and scale on the site; increased ambient noise due to increased human activity; increased demand on public

services and utilities; increased light and glare; increased energy consumption; increased on-street parking demand and increased vehicle traffic. These long term impacts, although adverse, are not considered significant because they are within the scope of those impacts anticipated by the zoning and are relatively minor in scope.

Notwithstanding the determination of non-significance, the following impacts merit more detailed discussions due either to public comments or their greater importance: height, bulk and scale; parking; traffic; and noise.

Height, Bulk and Scale

The proposed project would consist of six (6) three-story buildings; one (1) building of three dwelling units, two (2) buildings of four dwelling units each, and three (3) buildings of five dwelling units each. Due to the irregular shape of the lot, this project has two separate frontages along Renton Avenue S.

At the northerly west 43.25-foot frontage, the building has a setback of approximately 130 feet from the street lot line. The south end of one of the buildings (Building F) at the north portion of the site is the only part visible from the street at the main entry to the site. Although it is three stories high, it is well modulated and its distance from the street proportionately fades its visibility; thus its height, bulk and scale impacts is adequately mitigated. At the westerly south frontage with the main exit from the site, a three-unit building is located and directly facing Renton Avenue S. The layout of the individual units in this building are staggered, thus creating modulation that significantly reduces its appearance of bulk and scale. The street slopes up to the south significantly to twelve (12') from the exit driveway to the south lot line. The exposed portion of the building above the street grade proportionately blends with the two-story single family houses located across and west of Renton Avenue S. Farther south and westerly across the street, the existing grades are much higher so that residents in this area overlook to this development in the northeasterly direction. To the east of this proposed development is an existing multifamily structure fronting 37th Avenue S. This existing structure is of greater mass, bulk and scale, and of greater height as it relates to its existing grade. To the north, there are existing single family houses mostly two-stories typical of a SF5000 zone, with some existing duplexes to the northeasterly, and at a slightly higher grade elevation. For these reasons, there is no adverse height, bulk and scale impact that warrants specific mitigation.

Parking

The proposed development would provide 44 parking spaces. Of these 44 spaces, 41 are designated for residential use (26 individual unit space and 15 spaces in tandem) and 3 guests parking, all located on site. The 26 townhouse units are expected to have a peak parking demand of 39 which is 5 spaces less than the total provided on site, thus parking spill-over is not anticipated at peak times. Therefore, no SEPA policy based conditioning of parking impacts is warranted.

Traffic and Transportation

The site is approximately two long blocks east of a principal arterial (Martin Luther King Jr. Way S) and also two long blocks west of another principal arterial (Rainier Avenue South). Both arterials are served by public transportation. The Institute of Transportation Engineers (ITE) Manual, Trip Generation, 7th Edition, indicates that the 26 Lowrise dwelling units of the type proposed by this project would generate approximately 20 new vehicle trips in the PM peak hour. The vehicle trips generated by the project will be distributed throughout the nearby street system with minor impacts to the surrounding intersections. These impacts will not significantly degrade the level of service of any intersection in the vicinity.

The one-way traffic separated access and exit of the site minimizes the traffic conflict on Renton Avenue S. The required street improvements on Renton Avenue S. would provide adequate sight distance for vehicles going in and out of the site. With new curb, sidewalk and sight triangles provided at the project side, pedestrian safety is significantly enhanced. Compliance with all applicable Codes and Ordinances is adequate to achieve sufficient mitigation of long term impacts and no further conditioning is warranted by SEPA policies.

Other Impacts

Several adopted Codes and Ordinances and other Agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Seattle Energy Code (long term energy consumption) and the Puget Sound Clean Air Agency (increased airborne emissions). The other impacts not noted here as mitigated by codes, ordinances (increased ambient noise, increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on the file with the responsible department. This constitutes the Threshold Determination and form. The intent of the declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under CRW 43.21C.030(2)(C).

CONDITIONS - SEPA

1) The periods of construction are limited to between the hours of 7:30 a.m. and 6:00 p.m. on non-holiday weekdays. Exception to this condition may be granted for emergencies or that might substantially shorten the time length of the construction project.

Signature: _____ (signature on file) Date: September 16, 2004
Edgardo R Manlangit, Land Use Planner
Department of Planning and Development
Land Use Services

ERM:bg

I:\MANLANGI\2206838DECa.doc